

25-8387

Accounting #231
7-3
20 April 1954

MEMORANDUM FOR: Special Assistant to the Acting Deputy Director
(Administration)

SUBJECT : Loss of Gold - [REDACTED]

25X1A9a

25X1A9a 1. This will acknowledge receipt of the staff study prepared
by the Office of the Comptroller in which it is recommended that
[REDACTED] be held pecuniarily liable for the loss of a small box
of gold and that he be required to reimburse the Agency in the
25X1A9a amount of \$408.25. You have asked for our opinion as to the
negligence of [REDACTED] and our recommendation concerning his
liability.

25X1A9a 2. This office concurs in the recommendation of the Comptroller
that [REDACTED] be held liable and that he be required to refund
to the Agency the amount of \$408.25. It appears to us that this
25X1A9a situation is covered by the memorandum to the Acting Deputy Director
(Administration) by [REDACTED] of this office,
dated 29 March 1954, on the subject of relief for shortages and
losses. In that memorandum it was stated that the basis for excusing
shortages or losses is that the responsible employee must affirmatively
show two things: (1) that he was not negligent, and (2) that there
was no malfeasance on his part. In the present case the Survey
Board appointed by the Chief of Mission made a specific finding of
careless handling of operational funds. In the absence of evidence
25X1A9a to the contrary we see no reason why this finding should not control
25X1A9a with respect to the legal question of [REDACTED] negligence or lack
thereof. It follows that [REDACTED] should also be held liable for
the loss caused by his carelessness.

3. The staff study is returned herewith.

25X1A9a

[REDACTED]
Office of General Counsel

Attachment: Staff Study

OGC:TMF:cst

cc: Legal, Vital
Subject, Signer
Chrono